

## REMARKS

### Summary of the Office Action

Claims 1-19 are considered in the Office action.

Claims 1 and 11 have been rejected under 35 U.S.C. § 102(e) as anticipated by Kerschner et al. U.S. Patent No. 5,995,243 (“Kerschner”).

Claims 1-2 and 11-12 have been rejected under 35 U.S.C. § 103(a) as obvious over Watanabe U.S. Patent No. 4,831,458 (“Watanabe”) in view of Kerschner.

Claims 3 and 13 have been rejected under 35 U.S.C. § 103(a) as obvious over Watanabe, Kerschner and Falk U.S. Patent No. 6,141,120 (“Falk”).

Claims 4-5 and 14-15 have been rejected under 35 U.S.C. § 103(a) as obvious over Watanabe, Kerschner and “well known prior art.”

Claims 6 and 16 have been rejected under 35 U.S.C. § 103(a) as obvious over Watanabe, Kerschner, Horowitz et al U.S. Patent No. 4,525,071 (“Horowitz”) and Gray et al U.S. Patent No. 6,028,681 (“Gray”).

Claims 7 and 17 have been rejected under 35 U.S.C. § 103(a) as obvious over Watanabe, Kerschner, Horowitz, Gray and “well known prior art.”

Claims 8 and 18 have been rejected under 35 U.S.C. § 103(a) as obvious over Watanabe, Kerschner and Horowitz.

Claims 9 and 19 have been rejected under 35 U.S.C. § 103(a) as obvious over Watanabe, Kerschner and Gray.

Claim 10 has been rejected under 35 U.S.C. § 103(a) as obvious over Watanabe, Kerschner, Horowitz and “well known prior art.”

### Reply to § 102(e) Rejections

Claims 1 and 11 have been rejected under § 102(e) as anticipated by Kerschner. The claimed invention recites methods and apparatus for selectively calibrating a scanner during a normal scan of an object. In particular, the claimed methods include affixing a calibration target to a scanning surface of the scanner, and selectively calibrating the scanner with the calibration target during a normal scan of an object. The claimed apparatus include a calibration target, means for attaching the calibration target proximate to a scanning surface of the scanner, and means for

selectively calibrating the scanner with the calibration target during a normal scan of an object. Kerschner does not describe or suggest the claimed invention. In particular, Kerschner does not describe or suggest methods or apparatus that selectively calibrate a scanner during a normal scan of an object.

The Examiner has disagreed, and asserts that “the ‘normal scan of an object’ or scan operation begins in Kerschner when the user initiates a scan by depressing the scan button 34 (col. 5, lines 28-31). The calibration process 74 is part of the normal scan operation.” If the Examiner is correct that calibration is part of the normal scan operation, and occurs each time a scan occurs, then the calibration is not selective. Indeed, the portion of Kerschner that the Examiner has cited states: “The white point calibration process 74 may be performed each time the user initiates a scan (i.e., each time the user depresses the scan button 34).” If calibration occurs each time the scan button is depressed, then the calibration is not selective.

Thus, based on the Examiner’s interpretation, Kerschner actually points away from the claimed invention by describing a system in which scanner calibration occurs non-selectively during each scan operation. Because Kerschner does not describe the claimed invention, and in fact points away from the claimed invention, applicant respectfully requests that the § 102(e) rejections of claims 1 and 11 be withdrawn.

#### Reply to § 103(a) Rejections

Claims 1-19 have been rejected under 35 U.S.C. § 103(a) as obvious over Watanabe and Kerschner, and various combinations of Falk, Horowitz, Gray and “well known prior art.” As described above, in light of the Examiner’s interpretation of Kerschner, that reference actually points away from the claimed invention by describing a system in which scanner calibration occurs non-selectively during each scan operation. Further, for all of the reasons stated in applicant’s reply to the 17 November 2005 Office action, Watanabe also does not describe or suggest the claimed invention.

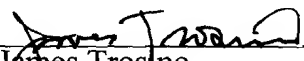
Accordingly, because neither Watanabe nor Kerschner, alone or combined, describe or suggest the claimed invention, applicant respectfully requests that the § 103(a) rejections of independent claims 1 and 11 be withdrawn. Because all other

claims depend from claims 1 and 11, applicant respectfully requests that the § 103(a) rejections of claims 1-19 be withdrawn.

Conclusion

For the reasons stated above, applicant submits that this application, including claims 1-19, is allowable. Applicant therefore respectfully requests that the Examiner allow this application.

Respectfully submitted,

  
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